



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

APPLEBY

Atty. Ref.: 36-1201

Serial No. 09/051,070

Group: 2128

Filed: April 2, 1998

Examiner: Phan, T.

For: TRAINING APPARATUS AND METHOD

* * * * *

January 3, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Examiner's Statement of Reasons for Allowance states:

"The claimed invention is directed to a method and system for training a user to engage in transactions with another person whom the system is arranged to simulate. The system includes...processor processing the input and determining whether the input is an allowable response to a most recent one of the messages output to the user, and if not, determining whether the input is an allowable response to a previous one of the messages output to the user as claimed."

Applicant respectfully disagrees with the above Reasons for Allowance to the extent that the Reasons for Allowance differ from the explicit language required by the allowed claims. For example, but without limitation, independent claim 2 does not require "determining whether the input is an allowable response to a most recent one of the messages output to the user, and if not, determining whether the input is an allowable

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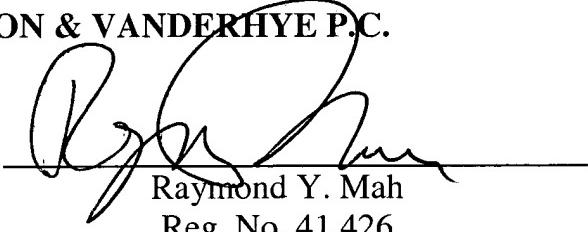
January 3, 2005

response to a previous one of the messages output to the user," as apparently alleged by the Examiner. Language present in the Examiner's Statement of Reasons for Allowance which are not recited in the claims themselves should not be used to narrow the claims in any respect.

Respectfully submitted,

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